THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

AND

THE HON'BLE SRI JUSTICE R.SUBHASH REDDY

WRIT APPEAL No. 1658 of 2005

12-09-2005

Between:

Thota Satyanarayana.

.....APPELLANT

AND

Sri Madana Gopalaswamy Temple, Penakanametta, Kovvur Mandal,

West Godavari District, rep. by its Manager & Others.

.....RESPONDENTS

THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

And

THE HON'BLE SRI JUSTICE R.SUBHASH REDDY

WRIT APPEAL No. 1658 OF 2005

JUDGMENT : (Per Hon'ble Sri Bilal Nazki, ACJ)

The question whether the writ petitioner is a landless poor person, is the question, which has been decided by three authorities and also by the learned single Judge. It has come in evidence before the authorities that the Temple produced 10(1) Adangal to establish that the writ petitioner owns an extent of Ac.4.24 ½ cents of dry land. Writ petitioner himself conceded that he is in possession of Ac.2.56 cents of dry land. Therefore, the authorities concluded that the petitioner was in possession of more than five acres of dry land and as such he was not a landless poor person. This is basically a question of fact, which has been decided by the authorities below on the basis of evidence before them. The authorities have also noted that the petitioner was a Pink Card holder, which shows that his income was more than Rs.24,000/-.

In the light of this evidence, this Court, in writ appeal, may not be in a position to reappraise the evidence. Writ Appeal is accordingly dismissed. No order as to costs.

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(BILAL NAZKI, ACJ)

12th September 2005.

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(R.SUBHASH REDDY, J)

ajr